

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

FREDDIE TAYLOR

PLAINTIFF

v.

CASE NO. 2:05CV189

**SHERIFF CALVIN HAMP,
SGT. CHARLIE WRIGHT,
NURSE JANICE PUGH OF
TUNICA COUNTY, MISSISSIPPI**

DEFENDANTS

ORDER

Plaintiff Freddie Taylor filed the instant 42 U.S.C. § 1983 action, seeking recovery for alleged civil rights violations arising, *inter alia*, out of the conditions of his confinement at the lunacy ward of the Tunica County Jail. Defendants Charlie White and Calvin Hamp have filed an unopposed motion to dismiss this action, arguing that plaintiff failed to exhaust his administrative remedies prior to filing suit, in contravention of the Prison Litigation Reform Act. *See* 42 U.S.C. 1997e. It does appear from the complaint that plaintiff failed to exhaust administrative remedies prior to filing suit, and, at any rate, plaintiff's failure to even respond to defendant's motion to dismiss is tantamount to a confession of the arguments set forth therein. The court therefore concludes that the motion to dismiss is well taken and should be granted.

In light of the foregoing, it is ordered that defendants' motion to dismiss [22-1] is granted.

58.

THUS ORDERED, this the 10th day of March, 2006

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE